

MYRNA A. LEVINSON  
KURT LEE WEINMANN \*  
PAMELA D. FIELD \*  
RITA F. ARONOV \*  
BARRY ROTHMAN \*  
ANDREW LONGO \*  
BRIAN R. SIMEONE  
RICHARD T. O'BRIEN \*  
THOMAS M. COOPER

WILLIAM D. BUCKLEY \*\*  
APPELLATE COUNSEL

ALSO ADMITTED IN  
\* NEW JERSEY  
\* CONNECTICUT  
± WASHINGTON, D.C.  
□ FLORIDA  
+ MICHIGAN

**GARBARINI & SCHER, P.C.**

ATTORNEYS AT LAW

432 PARK AVENUE SOUTH 9<sup>th</sup> FLOOR

NEW YORK, NY 10016-8013

E-MAIL: [legal@garbarini-scher.com](mailto:legal@garbarini-scher.com)

TEL: (212) 689-1113

FAX: (212) 725-9630

WESTCHESTER OFFICE  
202 MAMARONECK AVE, SUITE 500  
WHITE PLAINS, N.Y. 10601-5312  
(914) 949-7100

NEW JERSEY OFFICE  
COURT PLAZA NORTH  
25 MAIN STREET, SUITE 602  
HACKENSACK, N.J. 07601-9007  
(201) 343-2002

CONNECTICUT OFFICE  
1 RIVER ROAD  
COS COB, CT 06807  
(203) 256-8932

CHAS. J. GARBARINI (1962-2001)  
STANLEY J. SCHER (1962-2018)  
LEONARD WEINSTOCK (1967-2011)  
GEORGE J. KEHAYAS (1977-2010)

September 21, 2021

**Via E-filing: SDNY/EM CEF:**

Honorable Justice Ronnie Abrams  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2203  
New York, New York 10007

Re: New York Marine & General Ins. Co. and 500 Turtles, v.  
Allied Professional Insurance Services, A Risk Retention Group, Inc.  
Supreme Court / New York County / Index No.: 651109/2021  
Our File 41030 TMC

Dear Honorable Judge Abrams:

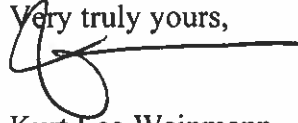
We are the attorneys for Allied Professionals Insurance Company, A Risk Retention Group, Inc., a defendant in the above-referenced matter. We and the attorneys for the plaintiff have consulted and respectfully submit this joint letter application for an additional adjournment of the currently scheduled initial telephone conference on October 1, 2021 as well as an extension of the time to file the joint letter and case management plan which, pursuant to Your Honor's August 20, 2021 order, is currently due by September 24, 2021. This adjournment is sought in contemplation of the parties' filing of a Rule 41 dismissal stipulation on or before the requested extension dates.

As previously stated, we have been in consultation with the attorneys for plaintiffs. They have agreed to arbitrate their coverage claims against our client pursuant to the terms of the subject policy and discontinue this matter once they procure suitable counsel in the State of California to participate in the arbitration. They have advised us that they require an additional thirty days to perform this task. To allow sufficient time for completion of same, both parties herein, on consent, request that the initial telephone conference date be adjourned to October 29, 2021. We also request that the time to file the joint letter and case management plan be extended to October 22, 2021. There have been two prior requests for extensions of time affecting previously ordered dates for the joint letter/case management deadline and the initial conference in this matter.

Honorable Justice Ronnie Abrams  
Supreme Court / New York County/Index No.: 651109/2021  
Page 2

We thank you for considering this application.

Very truly yours,




Kurt Lee Weinmann

KLW:ds

We join in this application.

RUBIN PATERNITI GONZALEZ  
RIZZO KAUFMAN LLP

By:   
Juan Gonzalez, Esq.  
Attorneys for Plaintiff  
NEW YORK MARINE & GENERAL INS. CO.  
and 500 TURTLES  
*Office & Post Office Address*  
555 Fifth Avenue, 6<sup>th</sup> Floor  
New York, New York 10017  
(646) 809-3370

ccs (via First Class Mail):

ALLIED PROFESSIONAL INSURANCE RPG  
68 Brown Road  
P.O. Box 218  
Harvard, MA 01451

PROFESSIONAL ASSIST CORPORATION,  
d/b/a ASSOCIATED SKIN CARE PROFESSIONALS  
25188 Genesee Trail Road, Suite 200  
Golden, CO 80401

RACHAEL BROWN  
PROPER PUSS, LLC  
PROPER PUSS NYC, INC.  
33 Bedford Street  
New York, NY 10014

NANSI SCHNEIDER  
28 Kings Street, Apt. 1  
New York, NY 10014

Application granted.

In the event that this action has not been discontinued, the initial pretrial conference scheduled for October 1, 2021 is hereby adjourned to October 29, 2021 at 3:45 p.m. The pre-conference submissions are due October 22, 2021.

SO ORDERED.



Hon. Ronnie Abrams  
09/22/2021